FCC-08-149
In the Matter of
Telecommunications Relay Services
And Speech-to-Speech Services for
Individuals with Hearing and Speech
Disabilities
Speech-to-Speech and Internet Protocol (IP)
Speech-to-Speech Telecommunications Relay
Services
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NOTICE OF PROPOSED RULEMAKING
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Comments On the NPRM Regarding Speech-to-Speech Services
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My name is Winston Ching. I am a speech-disabled individual that has been involved in establishing Speech-to-Speech Relay Services (STS) from their inception; working with Dr. Bob Segalman, (familiar to the Commission as a major proponent of Speech-to-Speech Services,) to establish STS as a provisional service in California. Subsequently, I have served for several years now as the Speech-to-Speech User Community Representative on the Telecommunications Access for the Deaf and Disabled Administrative Committee, the advisory committee to the California Public Utilities Commission (CPUC) on Telecommunications Relay Services (TRS), (or, as they are known in California, the California Relay Service.) As both an advisor to the CPUC and, in particular, as a user dependent on the quality of Speech-to-Speech Services, I have continued to work on improving the service. Some of the conclusions I have reached in my years of study and use of STS are detailed in my comments below.

One of the major difficulties in creating a quality Speech-to-Speech Service is the vast range of speech disabilities. Dr. Bob Segalman has very soft natural speech or mechanically reproduced speech from his Speech Generating Device (SGD). His speech is clear, as long as it can be heard. My disability represents the opposite end of the spectrum of speech disabilities, in that my voice is usually strong enough to be heard but my lack of neurological control can render my speech nearly unintelligible. For myself, and for many others like me, successful use of STS Relay depends on the quality and training of the Communications Assistants (CAs) and on the relay provider's policies and protocols that enable me to establish with the CAs an understanding of who I am calling and the context of the call. Whether the CA is obligated to stay with the call 15 or 20 minutes is a relatively minor issue to me and most other Speech-to-Speech users. However, if the Commission is only considering this narrow policy change, more time is always preferable to less time, i.e., 20 minutes is preferable to 15. I routinely take 30 minutes to make a very simple call, and 90 minutes to

leave a message of any substance is common for me, and normally these calls are done by a single CA, anyway.

At least as important as the duration that a CA must stay with a call before a CA switchover is the ability of the new CA to pick up on the call in progress. All the reasons given in paragraphs 4 and 7 of the NPRM for extending the length of time a CA must stay with a call apply to the CA taking over the call, and a simple solution for this would be to require that the incoming CA passively join the call for at least two minutes before the switchover is made so that they can begin to grasp the speech patterns of the caller and the context of the call. Otherwise the new CA is starting from zero.

Regarding the 20 minute period beginning when "effective" communication is established, as I said above, more time is always preferable to less time, but it should be noted that I have spent up to a half-hour trying to get some CAs just to understand the phone number I wanted to call before finally giving up. Call setup with an STS CA can be considered "effective" when the outgoing call is ready to be made and communication of the number to be called, the procedures, including special instructions, to be used on the call, and, usually, an idea of the context of the call has been successfully communicated between the user and the CA.

Unfortunately, there is a problem with strictly defining "effective" communication as to when the outgoing call is ready to be made that comes into play if the user wants to dictate a message to be left on an answering machine or voice mail, or wants to dictate a "first thought" to be read to the called party establishing context between the user and the called party. This would become a problem because dictating a message can take a long time. (I have spent as long as two hours in call setup before making a call.) However, if sufficient rapport has been established to allow the dictating of a message the basic definition of call effectiveness can be expanded to when the outgoing call is ready to be made or when the user begins to dictate a message.

Regarding muting the STS user's voice to the called party, as long as the user can still hear the entire conversation and correct the CA if they inadvertently change the user's words, the CA can still clearly hear the user, and as long as it is clearly optional and specifically requested by the user, then there should be no problem.

The next issue raised is the potential for having an option to push a number on an IVR to be connected with an STS operator. For an STS caller that is capable of dialing 711 to reach TRS, the prospect of dialing one additional number to connect with an STS CA would be feasible and would likely prevent the reported disconnections. However, it should not be overlooked that a large percentage of persons with a speech disability also have significant mobility and manipulation issues. My suspicion is that many if not most STS users do not, in fact, dial 711

when calling STS, but rather use a preprogrammed speed dial where only one button needs to be pressed, and whereas as much time as is needed can be taken to push the speed dial button, an IVR is not so forgiving. In Texas, where the one additional button system was only recently sent up, calls will default to TTY Relay if the STS choice is not made, and it remains to be seen how effective the system will be in ensuring that STS users are correctly connected to a STS CA.

In California, if STS users fill out an optional customer profile they are automatically connected by the system to an STS CA when they call 711 from their registered Automatic Number Identification (ANI). This method would be preferable to hitting an additional button, but it has proved difficult to get consumers to register a profile.

There is another method by which calls can be made to absolutely ensure connection to an STS operator, and that is by using the vendor's direct dial number for STS service. While not as easy to dial as 711, I have my preferred vendor's direct dial number programmed into my speed dial and need press only a single number to connect directly with an STS CA. Encouraging use of direct dial numbers would also correct the problem of disconnections. Although I refer to my personal use of the vendor's dedicated number, it reinforces my point to note that in California over 80% of the calls to STS are made to the vendor's direct number rather than 711.

Regarding IP STS, first it is clear, with nothing tentative about it, that it should be considered a compensable service. It is not an earthshattering development: currently STS services are available from any cell phone. As the PSTN loses more and more business alternatives will become increasingly important. Making STS available through Internet access potentially offers cost savings to some users and opens the market to nationwide competition. All state relay services, with the exception of California, are contracted with a single vendor, and if a vendor's STS service is inadequate IP STS will potentially provide alternatives.

The definition offered of IP STS as an STS call conducted through the Internet seems satisfactory, and the conclusion that compensation to the vendors would be provided from the fund if the Commission's rules are followed is logical.

Although the concept of reimbursing IP STS at the same rate as regular STS is logical and should suffice until further consideration is given to raising the overall STS compensation rate, I agree with Dr. Segalman that the overall rate for STS needs to be substantially raised, albeit for different reasons. Rather than raising the STS rate for equipment and in-home training visits, I contend that the weakest link in the STS service is the training and compensation of its CAs and suggest that a formal curriculum and certification program be set up. I will discuss this further later on in my comments.

The certification rules are adequate and consistent to allow prospective vendors of IP STS to be certified.

I have comments about some of the waivers:

1. In terms of typing and spelling skills, although no text is generally conveyed to the called party, typing skills, in particular, are necessary for STS CAs because so much of an STS communication may be dictated as either a message to be left or a "First Thought" to be delivered to the called party. There are instances where the same message needs to be delivered to multiple parties as well as messages that need to be saved to be used on later occasions. During a conversation, the CAs have to remember what has been said and if a delay develops as a result of being hung up on a particular word or if it develops that the speech-disabled individual has trouble speaking for a minute, the continuity of what is being said may be lost without "putting it down on paper." Beyond this, there may be instances where a speech-disabled individual may call someone using a TTY, in which case both typing and spelling would have their usual significance unless multiple CAs were used. In general, although the skills do not have to be as developed as with TTY Relay, there should be some minimum requirement for STS CAs.

2. While I understand that IP STS vendors may have difficulty creating the infrastructure to support billing, the concept of functional equivalence must at some point extend to 900 numbers.

3. The waiver of a speed dial list is a serious problem for potential IP STS users. Personally, my visual acuity is insufficient to enable me to read a telephone number, and my manual dexterity too limited to even write a number down. As noted in the 2007 Waiver Extension Order referenced in footnote 71, some IP Relay providers are already offering this service, and it is essential for IP STS users to maintain a speed dial list, so even though the waiver is due to expire on January 1, 2009 for regular IP Relay, it is inappropriate to extend that waiver for any duration to IP STS. Where IP addresses are used by the called party, the speed dial list should be able to include those addresses.

Since the vast preponderance of IP Relay traffic will have registered locations and the same necessity of emergency communications exists, it seems appropriate for IP STS users to both register their location and to have a 10-digit telephone number that anyone can use to call them. Further, it does not appear that any additional rules or variations would be necessary for IP STS Relay users. Presumably, the CA should stay with the call.

The problem with the questions about outreach for new STS users is the presumption that the service is operating effectively as it is. In California, at least, use of STS is already gradually increasing: There are currently approximately 3,700 calls monthly, or 44,000 calls annually, to Speech-to-

Speech relay services in California. These figures show a 15% increase from 2006 to 2007. Doing outreach while the quality of the services is lacking is frustrating for the new user and will make outreach under the current conditions a self-defeating proposition. I know of at least a few former STS users who have given up on using the service as inadequate for their needs. The best way to increase the overall call volume is to increase the quality of the service.

When I say that the quality of STS service needs to improve before effective outreach can be done, I am actually saying that the quality and training of STS CAs needs to improve. Whenever there is a description of STS, the phrase "specially trained" CAs is used, but in practice there has been almost no attention given to the quality and training of STS CAs. Overall quality in the CAs varies widely. While it is difficult to come up with measurable standards, partially because of the wide variety of speech disabilities, there are certain changes in the structure of STS operations that can be made that can greatly improve the service.

STS CAs need to be treated as professionals. Being an operator has always been considered a low end job by the phone companies and call centers, and an STS CA has certainly been no exception. STS CAs make the same amount of money, (in California, around $10 per hour,) and are drawn from the same pool of CAs that is used for TTY Relay. Call centers are often set up near colleges to take advantage of transitional labor willing to work for low pay. There is just one exception to the general rule of low pay for CAs, and that is for video interpreters, who need to be certified in American Sign Language and who are paid rates commensurate with their training, causing a corresponding increase in the rates for providing VRS. Although STS CAs do not need to learn a new language, the skills required in providing quality service to speech-disabled consumers require a very high degree of language proficiency and ability to solve problems. Good STS CAs need to be compensated for these skills. STS CAs need to be separated from the role of "Operator" and given career positions instead of casual interim employment.

A comprehensive training program needs to be developed for STS CAs, and it would be advisable to establish a certification process so that it would be clear that the STS CAs employed are the most able available. (I have several ideas about what could be included in the training.)

The FCC probably lacks the authority to direct the states to pay more for Speech-to-Speech, for outreach or for increased Communication Assistant pay and training, but the FCC should have the authority to set standards necessary for an effective STS service, be it directing outreach or creating tougher CA standards. In that insufficient outreach is being done for STS Relay, it can be attributed to a lack of profit incentive for the vendors at the rate that STS is compensated by both the states and the federal government. The MARS method of calculating rates is completely ineffective for STS because STS is a 'throw in" to the bid

rates for relay service as a whole. In other words, vendors bid for the entire relay package for a state, and even though it costs more to supply STS services because of increased setup time, STS is proportionally so much smaller a service to TTY Relay it is easier for both the vendors and the states to bid a single rate for all relay services. I feel that if the vendors have a sufficient profit motive to increase STS usage they will increase their outreach. The FCC needs to ascertain, from proprietary information supplied by the vendors, exactly what the cost of providing STS is, and set their rates sufficiently high enough to encourage the vendors to look for additional STS business. The states can be encouraged, if not directed, to follow the model and raise their STS rates for intrastate traffic.

To sum up on this issue, it is my feeling and experience from using STS with a number of different vendors since the service began that the service itself needs major improvement in quality before outreach can have lasting effectiveness. Beyond the idea of better training and certifying CAs there is one further concept that has the potential of greatly improving STS service, Video-Assisted Speech-to-Speech, i.e. Speech-to-Speech Relay conducted over a video connection. A test of Video-Assisted Speech-to-Speech (VASTS), should be approved and organized as soon as possible, and, if successful, the service should be adopted by the FCC. I, and many other speech-disabled people I know, have experienced for years that it is easier to communicate with others in person than over the telephone, and it is a completely logical extension to presume that VASTS would work the same way. The CAs would have the same line of sight cues as a person conversing face-to-face. As VRS has opened up a new and far more functionally equivalent method of communication for American Sign Language users, VASTS has the potential of significantly increasing the comprehension rate for STS CAs by use of a myriad of visual communication cues including lip reading, spelling in the air, facial expressions, and other physical movements that may facilitate understanding of what persons with speech disabilities are saying.

In commenting on the question of whether there should be a single nationwide call center for STS there are two primary issues: can it be done, and will it work? In regards to whether it can be done, it does not appear that the FCC has the authority to take over provision of STS services without a change in the existing code, but perhaps it would be possible to negotiate a voluntary system where the states could opt into provision of STS by a single nationwide carrier contracted to the FCC.

The question of whether a nationwide STS relay call center will work is more intricate. I am generally opposed to the idea because if one vendor is in charge of supplying all STS relay and they fail to perform adequately there will be no acceptable fallback position, i.e. users may be stuck with a poor STS supplier or the system might be subjected to a drastic turnover if the vendor's contract was terminated and a new supplier was forced to begin operation without sufficient time to prepare. If the idea is pursued, I suggest there should be at least two

providers, not just one. The general idea offers some potential for efficiencies of scale and centralized training. If nationwide call centers are established, they should offer IP STS as well as regular STS, but there is no reason that other vendors should not be able to offer IP STS if they are willing to set up call centers to handle the traffic.

This concludes my initial comments to the NPRM. I welcome any inquires for further information or clarification.